

By Senator Perry

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1 A bill to be entitled
2 An act relating to public health; amending s.
3 381.0016, F.S.; prohibiting counties and
4 municipalities from requiring citizens of the United
5 States to submit to any medical procedure or receive
6 any medical treatment; prohibiting counties and
7 municipalities from conditioning access to public
8 property or services on whether a citizen has
9 submitted to any medical procedure or received any
10 medical treatment; providing construction; prohibiting
11 counties and municipalities from requiring the wearing
12 of a face covering; defining the term "face covering";
13 providing that any such requirement is void; creating
14 s. 1001.4201, F.S.; prohibiting district school boards
15 from adopting, implementing, or enforcing a policy, a
16 rule, a code of conduct, or an order requiring the
17 wearing of a face covering; defining the term "face
18 covering"; providing that any such policy, rule, code
19 of conduct, or order is void; creating s. 1001.5101,
20 F.S.; prohibiting a district school superintendent
21 from implementing or enforcing a policy, a rule, a
22 code of conduct, or an order requiring the wearing of
23 a face covering; defining the term "face covering";
24 providing that any such policy, rule, code of conduct,
25 or order is void; creating s. 1001.55, F.S.;
26 prohibiting a school principal from implementing or
27 enforcing a policy, a rule, a code of conduct, or an
28 order requiring the wearing of a face covering;
29 defining the term "face covering"; providing that any

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30 such policy, rule, code, or order is void; providing
31 an effective date.

32
33 Be It Enacted by the Legislature of the State of Florida:

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35 Section 1. Section 381.0016, Florida Statutes, is amended
36 to read:

37 381.0016 County and municipal regulations and ordinances.—
38 Any county or municipality may enact, in a manner prescribed by
39 law, health regulations and ordinances not inconsistent with
40 state public health laws and rules adopted by the department,
41 subject to the following limitations:

42 (1) A county or municipality, directly or indirectly, may
43 not require that any citizen of the United States submit to any
44 medical procedure or receive any medical treatment. Counties and
45 municipalities may not condition citizens' access to public
46 property or services based on whether a citizen has submitted to
47 any medical procedure or received any medical treatment. This
48 subsection does not prevent a county or municipality from
49 conducting a public health information campaign.

50 (2) A county or municipality may not require that any
51 citizen of the United States wear a face covering. For purposes
52 of this subsection, the term "face covering" means any item
53 attached to a person's face or head which is intended to slow or
54 prevent the transmission of any illness or disease, including,
55 but not limited to, personal protective equipment, respirators,
56 face shields, or cloth masks. Any such requirement is void.

57 Section 2. Section 1001.4201, Florida Statutes, is created
58 to read:

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59 1001.4201 District school board; prohibited actions.—A
60 district school board may not adopt, implement, or enforce a
61 policy, a rule, a code of conduct, or an order that requires any
62 person to wear a face covering unless the policy is authorized
63 by a specific enabling statute that references this section. For
64 purposes of this section, the term “face covering” means any
65 item attached to a person’s face or head which is intended to
66 slow or prevent the transmission of any illness or disease,
67 including, but not limited to, personal protective equipment,
68 respirators, face shields, or cloth masks. Any such policy,
69 rule, code of conduct, or order is void.

70 Section 3. Section 1001.5101, Florida Statutes, is created
71 to read:

72 1001.5101 District school superintendent; prohibited
73 actions.—A district school superintendent may not implement or
74 enforce a policy, a rule, a code of conduct, or an order that
75 requires any person to wear a face covering unless the policy is
76 authorized by a specific enabling statute that references this
77 section. For purposes of this section, the term “face covering”
78 means any item attached to a person’s face or head which is
79 intended to slow or prevent the transmission of any illness or
80 disease, including, but not limited to, personal protective
81 equipment, respirators, face shields, or cloth masks. Any such
82 policy, rule, code of conduct, or order is void.

83 Section 4. Section 1001.55, Florida Statutes, is created to
84 read:

85 1001.55 School principals; prohibited actions.—A school
86 principal may not implement or enforce a policy, a rule, a code
87 of conduct, or an order that requires any person to wear a face

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88 covering unless the policy is authorized by a specific enabling
89 statute that references this section. For purposes of this
90 section, the term "face covering" means any item attached to a
91 person's face or head which is intended to slow or prevent the
92 transmission of any illness or disease, including, but not
93 limited to, personal protective equipment, respirators, face
94 shields, or cloth masks. Any such policy, rule, code of conduct,
95 or order is void.

96 Section 5. This act shall take effect July 1, 2022.